IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 21134 of 2004

Between:

Anyam Sundara Rama Rao, S/o Satyanarayana,
Kedarlanka Village, Kapileswarapuram Mandal,
East Godavari District

... PETITIONER

AND

The District Panchayat Officer and Member and Convenor, District Level

Committees Sand Auctions, East Godavari District, Kakinada

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not auctioning the lease hold rights of reach No.25 from 27 KM to 31 Km (Kothapeta-Kedaralanka) as highly illegal, arbitrary, unjust, improper and consequently direct the respondents to auction lease hold rights of sand in respect of reach No.25 or alternatively allot the same to the petitioner.

Counsel for the Petitioner: MR.BADANA BHASKARA RAO

Counsel for the Respondent: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the admission stage, made the following:

ORDER

Learned counsel for the petitioner fails to answer the question that the right of the petitioner to insist for auction the Reach No.25 from 27 km to 31 km (Kothapeta-Kedaralanka) of Godavari River. In the absence of any statutory right, it is well settled that no citizen can insist that the Government shall enter into contract with him by auctioning the lease hold rights in a particular Reach. I see no ground to entertain the writ petition.

Accordingly, the writ petition is dismissed. No costs.

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A. GOPAL REDDY. J.

18th November, 2004

tsr.

To

1 The District Panchayat Officer and Member and Convenor, District Level

Committees Sand Auctions, East Godavari District, Kakinada

2. Two C.C.s to Government Pleader for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad.(OUT)

3. Two C.D. copies.